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Message Text

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12
ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 NSAE-00 NSCE-00 SSO-00

USIE-00 INRE-00 PM-03 H-02 INR-07 L-02 NSC-05 PA-01

PRS-01 SP-02 SS-15 SAM-01 SAJ-01 SCCT-01 /054 W
---------- 060648
O R 260945Z APR 75
FM AMEMBASSY MADRID
TO SECSTATE WASHDC IMMEDIATE 1672
INFO AMEMBASSY PARIS
AMEMBASSY LISBON

C O N F I D E N T I A L MADRID 2858

E.O. 11652: GDS
TAGS: PINT, PFOR
SUBJ: STATE OF EXCEPTION IN TWO BASQUE PROVINCES

REF: MADRID 2575

COUNCIL OF MINISTERS, WITH FRANCO PRESIDING, DECIDED APR 24
TO IMPOSE STATE OF EXCEPTION IN BASQUE PROVINCES OF GUIPUZCOA AND
VIZCAYA. MEASURE CAME AT END OF WEEK WHICH SAW KILLING OF POLICEMAN
IN VIZCAYA, ALLEGEDLY BY ETA TERRORISTS, AND SHOOT-OUT NEAR FRENCH
BORDER BETWEEN SPANISH POLICE AND ETA TERRORISTS BAND. IN POST
MINISTERIAL COUNCIL BRIEFING, GOVT SPOKESMAN RECALLED THAT FOUR
POLICEMEN HAVE NOW BEEN KILLED BY TERRORISTS IN AREA SINCE
BEGINNING OF YEAR. RECENT TOUR OF BASQUE COUNTRY (REFTEL)
HAD REAFFIRMED INTENTION TO FIGHT TERRORISM. DECREE ON EX-
CEPTION SUSPENDS FOR UP TO THREE MONTHS FIVE ARTICLES OF SPANISH
BILL OF RIGHTS (FUERO), FREEDOM OF SPEECH INTERNAL MOVEMENT,
ASSOCIATION, AND SAFEGUARDS AGAINST ILLEGAL SEARCH AND SEIZURE AND
ARBITARY DETENTION.
COMMENT: SINCE BASIC RIGHTS OF ASSOCIATION, ASSEMBLY AND MOVEMENT,
ALREADY CAREFULLY CIRCUMSCRIBED, MAIN EFFECT OF STATE OF
EXCEPTION WILL BE TO FREE POLICE IN THESE TWO PROVINCES TO
CONDUCT SEARCHES WITHOUT WARRANTS AND TO DETAIN SUSPECTS IN-
DEFINITELY WITHOUT REGARD TO NORMAL REQUIREMENT OF BRINGING HIM
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BEFORE JUDGES WITHIN PERIOD OF 72 HOURS.

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ACCORDING TO SOURCE CLOSE TO MINISTER OF INTERIOR, GARCIA-
HERNANDEZ RETURNED FROM TROU OF BASQUE COUNTRY APRIL 16-- BEFORE
LATEST SHOOTING INCIDENTS-- ALREADY DETERMINED TO RECOMMEND
STATE OF EXCEPTION. GARCIA HERNANDEZ TOLD PRESS IN BILBAO
BEFORE DEPARTURE THAT "TERRORISM MUST BE FOUGHT WITH ITS
OWN WEAPONS." IN CONVERSATION WITH AMBASSADOR APR 22, GARCIA HER-
NANDEZ SHOWED PARTICULAR CONCERN OVER PROBBLEM OF ETA TERRORISM
COMMENTING THAT POLICE WERE HANDICAPPED BY CONSTITUTIONAL
GUARANTEES AND BY LENIEL ATTITUDE OF JUDGES FROM DEALING
WITH IT EFFECTIVELY, AND THAT "SPECIAL MEASURE" WERE NEEDED.
IT IS STILL TOO SOON TO ASSESS LOCAL REACTION FULLY. CON-
SERVATIVE PRESS HAS SO FAR UNDERSTANTABLY REACTED FAVORABLY, AS
DID RANDOM SAMPLING OF SPANISH MILITARY OFFICERS, LEADERS
OF VETERANS ORGANIZATIONS CONTACTED AT AMBASSADOR'S RECEPTION
LAST NIGHT. MORE IMPORTANT QUESTION IS HOW TOUGH MEASURES WILL BE
SEEN BY BASQUES THEM SELVES, WHO ALREADY INCLINED TO RESENT
DISCRIMINATION, CENTRAL GOVERNMENT'S HANDLING OF PUBLIC ORDER
PROBLEMS THERE. EQUALLY IMPORTANT QUESTION IS WHAT EFFECT THESE
TOUGH MEASURES WILL HAVE ON WESTERN EUROPEAN PERCEPTIONS
OF SPAIN'S INTENDED LIBERALIZATION AT TIME SPAIN SEEKING CLOSER
RELATIONSHIP WITH NATO.
STABLER

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